

December 3, 2009

**ADDENDUM NO. 1
TO
THE SPECIFICATIONS
FOR TULLY ROAD BALLFIELDS PARKING LOT IMPROVEMENTS**

Notice is hereby given that the following revisions, additions, and/or deletions are hereby made a part of and incorporated into the specifications for the Tully Road Ballfields Parking Lot Improvements.

PROJECT SPECIFICATIONS

NOTICE TO CONTRACTORS, FILING OF BIDS, FIRST PARAGRAPH:

DELETE "5TH FL."

REPLACE with "Wing, 2nd FL."

SPECIAL PROVISIONS:

DELETE 3-1.01 C Notice of Intended Award

REPLACE with 3-1.01C Notice of Intended Award - If the City intends to award a contract, the City will provide each bidder by hand delivery, fax or e-mail with a written notice indicating to which bidder it intends to award the contract. The City also will post this notice on the Public Works Bid Hotline, along with results of the bid. Irrespective of any changes to the information contained therein (including, without limitation, the identity of the bidder to which the City intends to award the contract), the issuance of any such notice of intended award shall occur only once; however, any such changes will be posted on the Public Works Bid Hotline.

SPECIAL PROVISIONS:

DELETE 3-1.01D Protest of Bid Award

REPLACE with 3-1.01D Protest of Bid Award - A bidder may protest the City's award of a contract. A protesting bidder shall submit its protest in writing. The protest shall provide a full and complete statement specifying in detail the ground(s) of the protest and the facts supporting the protest.

A protesting bidder shall deliver its written protest to the project manager at the address shown on the front cover of the bid specifications on or before 5 p.m. of the fifth working day following the day upon which the City issued the notice described in Section 3-1.01C.

Bidders are instructed that, irrespective of any changes to the information contained in the notice described in Section 3-1.01C, there is a single protest period, and any and all protests must be delivered by the deadline specified above, regardless of whether or not the protest is directed at the bid of the proposed awardee or at the bid of another bidder. By way of example only, should the City indicate in its notice that it intends to award to the lowest bidder, the third lowest bidder will be required to deliver any protest it may have as to the bid of the second lowest bidder, regardless of whether or not it is also prepared to protest the bid of the lowest bidder.

The procedure and time limits set forth in this section 3-1.01D are mandatory and the bidders' sole and exclusive remedy in the event of protest. Failure to comply with these procedures shall

constitute a waiver of any right to further pursue the protest, including filing a Government Code claim or legal proceedings.

SECTION 011100 SUMMARY OF WORK, 1.04 CONTRACTOR USE OF PREMISES:

DELETE "A. Limit use of premises for Work and construction operations and to allow for work by other contractors."

REPLACE with

- A. For the purpose of carrying out the terms and intent of the contract, the Contractor has sole control of the designated site within the Limits of Work for the project.
- 1) City Access: Allow access for the City and any agents of the City at any and all times.
 - 2) Driveways and Entrances: Keep driveways and entrances serving the premises clear and available to City representatives and emergency vehicles at all times. Do not use these areas for parking or storage of materials. Schedule deliveries to minimize space and time requirements for the placement of materials and equipment.
 - 3) The Contractor shall provide adequate protection of all work until final completion and acceptance. Contractor shall take particular precautions to protect all existing trees and shrubs to remain, existing buildings and structures, underground piping, other facilities, etc. All damaged or disturbed items shall be replaced in kind at the expense of the Contractor prior to acceptance and to the satisfaction of the Engineer

IMPORTANT


INSTRUCTIONS TO BIDDERS:

This addendum should be acknowledged when your bid is submitted. The bidder must sign this addendum in the space provided below and return one signed copy with the bid. The bidder's failure to sign and submit any or all addenda with the bid shall be a cause for rejection of the bid, in compliance with Section 2-1.14 of the City of San Jose, Department of Public Works Standard Specifications, dated July 1992.

Bidder's Name

Approved By:

Signature and Title of Bidder


KATY ALLEN
Director
Department of Public Works

Date

Attachments